

fax 8554

**OFFICE OF ENVIRONMENTAL RESTORATION
SOUTHWESTERN AREA PROGRAMS**



PAGES:

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(including cover)

DATE:

7/21/94

TO:

*REGINA SARTER*FROM: JEFF CIOCCO, EM-453

OFFICE: 301-427-1759

FAX: 301-427-1823

JULY 21, 1994

REGINA:

ATTACHED ARE THE FOLLOWING:

1. A ccMAIL MESSAGE DATED JULY 7, 1994 FROM EM-453 TO RFFO ER INDUSTRIAL AREA IM/IRA MANAGER AND EM-453 DOCUMENT REVIEW AND;
2. ANALYSIS OF RESPONSE TO COMMENTS O IM/IRA DECISION DOCUMENT, IA OU, RFP.

IF YOU SHOULD HAVE ANY QUESTIONS PLEASE CONTACT ME AT 301-427-1759.

JEFF/kn

[16] From: Jeffrey Ciocco 7/21/94 11:57AM (3252 bytes: 1 ln)
 Priority: Urgent
 To: Kenneth Nolan
 Subject: Editorial Comments To IA IM/IRA

----- Forwarded -----

From: Jeffrey Ciocco at EM-02 7/19/94 12:06PM (3029 bytes: 1 ln)
 Priority: Urgent
 To: Anita Petrollini at RFO-01
 cc: Steven Slaten at RFO-01, Melody Karol at RFO-01
 Subject: Editorial Comments To IA IM/IRA

----- Forwarded -----

From: Jeffrey Ciocco at EM-02 7/7/94 2:56PM (2739 bytes: 1 ln)
 To: Melody Karol at RFO-01
 Subject: Editorial Comments To IA IM/IRA

----- Message Contents -----

(Mel, please forward my editorial remarks to the IA IM/IRA
 Mgr. Thanks, Jeff)

 Date: 07 July 1994

From: EM-453, Jeff Ciocco
 To: RFFO ER Industrial Area IM/IRA Manager

Subj: Industrial Area IM/IRA Decision Document

1. The problem with the responses to the document made in the HQ comments and not addressed by the RFFO comments is that the document is not a IM/IRA or a decision document at all. The decision offered can not be considered an IM/IRA because there is no threat or imminent threat of release that must be fixed or controlled. The reason for the action, as I understand it, is that for the regulators to approve of the delay in ER activities within the fenced area some sort of additional DOE action were required. The document does not address this agreement. The document does not address why present monitoring is not sufficient. The document does not address why ER funds should pay for activities which can be considered plant operation actions and should be funded with plant operation funding.

Additionally, the action is very open. What will be looked for, how many additional wells and monitoring stations will be needed, how will the number of stations be decided, and what contaminant levels will trigger actions, and what ractive measures will be taken were not given. RFFO has often complained about increased scope and additional funding problems. How will the needs of this action be forecast? Because of its inclusion in the IAG, this action will be a required activity. It will require full funding.

It will have IAG milestones attached. There is no scope agreed upon; the scope of work will come later. WHAT IS RFFO ASKING THE PUBLIC TO DECIDE UPON WITH THIS DECISION DOCUMENT?

Jeff Ciocco

**DOCUMENT REVIEW: ANALYSIS OF RESPONSE TO COMMENTS ON INTERIM MEASURES/INTERIM
REMEDIAL ACTION DECISION DOCUMENT, INDUSTRIAL AREA OPERABLE UNIT ROCKY FLATS
PLANT**

Note: the specific comments refer to the responses given to the headquarters' comments. The major concerns and general comments referenced are those originally provided to Rocky Flats.

GENERAL COMMENTS

1. Based on the responses, a local commitment has apparently been made to upgrade the monitoring program. Clarification of the distribution of costs should be provided. Monitoring that is being conducted for the purpose of compliance with permits should be funded by operations. Monitoring for the purposes of determining a specific restoration or Decontamination/Decommissioning (D&D) activity resulting in a release should be funded through site specific programs. ER should not fund operational requirements.
2. The fundamental question of why this document exists with the present title is not addressed. If an integrated plan is needed, then a document with that specific title should be provided. This document is clearly not an Interim Measure/Interim Remedial Action Decision Document (IM/IRA DD), and its being presented as such can be questioned.
3. If the point of compliance for emissions has been shifted, then the affected permits should be modified as necessary. If new operations, such as D&D, require special monitoring and emergency planning, then the document does not explain the rationale for using the IM/IRA mechanism to realize those requirements. The need for this particular document has not been demonstrated.

SPECIFIC COMMENTS

1. Major Concern 1: The response to the comment supports the expressed concern that the document is mistitled. If this document is to provide a monitoring plan for D&D, then the document should be titled as such and presented to the public and regulators for that purpose.
2. Major Concern 2: The intent of the comment was to point out that the document was committing the Department of Energy to additional public and regulator involvement in D&D. The question that has not been addressed is: has this commitment been examined for the additional costs associated with review and the impact on schedule for completion of D&D? This analysis should be conducted before the commitment, not afterwards.
3. General Comment 1: The response does not address the comment. The issue of concern is that the document as presently written does not present an integrated plan. The plan should address changes to the permits referenced in the original comment and how the monitoring in those permits will be used. If the intent is to communicate the overall monitoring program to the public, then the analysis of technologies

should be deleted and specific discussions on what is being monitored and how should be included.

4. General Comment 2: There is no specific rationale provided for moving the point-of-compliance. Either the present monitoring network is sufficient to protect human health and the environment or it is not. No evidence is presented that moving the point-of-compliance provides additional protection. The comment on data quality objectives (DQOs) was intended to address specifics such as "baseline" conditions. The general commitments made in the document will result in disagreements between DOE and the regulators resulting in scope growth within DOE which will result in budget problems.
5. General Comment 3: This comment was related to the need to define the DQOs for the monitoring program. If the list of chemicals of concern has not been developed, then how can DQOs be defined and baseline conditions determined? Once this document is finalized, how will these decisions be communicated? Before this document can be approved, a specific plan of action must be presented so that an evaluation on cost can be conducted.